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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,628	02/14/2001	Patrick Thomas Greer	INT-200-01	4365

7590 06/24/2004

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EXAMINER	
NGUYEN, THANH T	
ART UNIT	**PAPER NUMBER**
2144	

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/788,628	GREER ET AL.
	Examiner	Art Unit
	Tammy T Nguyen	2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *(3)* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 February 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

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Detailed Office Action

1. This action is in response to the application **09/788628** filed. **February 14, 20001**

2. Claims **1-30** have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, and 11-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Philyaw et al. (USPN 6,745,234 – Date of Patent: June 1, 2004, herein referred to as "Philyaw").

5. As to claim 1, Philyaw teaches the invention as claimed, including a method for accessing data, comprising the steps of; reading data from a portable data carrier (Fig.16, Pen 1600 reading data from barcode 1606); parsing a company identifier from said data (Fig.19 parsing identifier if it is product information, or E-commerce add or user ID or user profile information); and accessing a web site having a URL associated with said company identifier (col.17, lines 1-20).
6. As to claim 2, Philyaw teaches the invention as claimed, further comprising the step of; parsing an item identifier from said data (fig.19, parsing an item identifier).
7. As to claim 3, Philyaw teaches the invention as claimed, wherein said web site is also associated with said item identifier (Fig.20 shows all web site associated with item identifier).
8. As to claim 4, Philyaw teaches the invention as claimed, further comprising the step of; accessing a link on said web site associated with said item identifier (Fig.19, all item identifier).
9. As to claim 5, Philyaw teaches the invention as claimed, further comprising the step of; displaying data associated with said web site (Fig.8 web site display 800).
10. As to claim 6, Philyaw teaches the invention as claimed, further comprising the step of; processing a transaction associated with said web site (Fig.8 web site).
11. As to claim 7, Philyaw teaches the invention as claimed, wherein said portable data carrier comprises a bar code symbol (fig.16 bar code symbol 1606).
12. As to claim 8, Philyaw teaches the invention as claimed, wherein said bar code symbol is a UPC symbol (Fig.8, UPC symbol).

13. As to claim 9, Philyaw teaches the invention as claimed, wherein said bar code symbol is a UCC/EAN 128 symbol (col.4, line 25-28).

14. As to claim 11, Philyaw teaches the invention as claimed, wherein said URL comprises said company identifier (Col.4, lines 25-28).

15. As to claim 12, Philyaw teaches the invention as claimed, wherein said company identifier comprises a company prefix (col.17, lines 1-20, and col.1, lines 37-40).

16. As to claim 13, Philyaw teaches the invention as claimed, including a method of accessing data comprising the steps of: scanning a symbol containing data (Fig.16, Pen 1600 scan barcode 1606) calling a URL (col.4, lines 23-28), and displaying information associated with said URL (col.4, line 51 to col.5, line 15), wherein at least a portion of said URL comprises at least a portion of said data (col.4, lines 25-30).

17. As to claim 14, Philyaw teaches the invention as claimed, wherein said symbol comprises a UPC/EAN bar code symbol (col.4, lines 25-28, and fig.8).

18. As to claim 15, Philyaw teaches the invention as claimed, wherein said symbol comprises a 2D symbol (Fig.16 symbol bar code and col.4, lines 25-28)

19. As to claim 16, Philyaw teaches the invention as claimed, wherein said data comprises a UCC company identifier and a UCC item identifier (Fig.8, Fig.16 show UCC item identifier).

20. As to claim 17, Philyaw teaches the invention as claimed, wherein said URL comprises a UCC company identifier and a UCC item identifier (Fig.8 show URL and UCC identifer).

21. As to claim 18, Philyaw teaches the invention as claimed, wherein said URL comprises www. "company identifier" .com/ "item identifier", and wherein said "company identifier" comprises a number assigned by the uniform code council and said "item identifier" comprises a number assigned by a manufacturer (Fig.8, and col.4, lines 25-28).
22. As to claim 19, Philyaw teaches the invention as claimed, further comprising the steps of; calling a web browser, and entering at least a portion of said data in the URL line of said browser (Fig.8, and col.4, lines 25-28).
23. As to claim 20, Philyaw teaches the invention as claimed, including a method for finding information related to a portable data carrier, comprising the steps of; reading data from a portable data carrier (Fig.16, Pen 1600 reading data from barcode 1606); prepending a first character sequence to said data, and attempting to access a web site having a URL comprising said prepended character sequence and said data (Fig.8 show URL and col.4, lines 25-29).
24. As to claim 21, Philyaw teaches the invention as claimed, further comprising the steps of; prepending a second character sequence to said data, and attempting to access a web site having a URL comprising said prepended second character sequence and said data (fig.8, col.9, lines 30-60).
25. As to claim 22, Philyaw teaches the invention as claimed, further comprising the steps of; appending a first domain to said data, and attempting to access a web site having a URL comprising said prepended character sequence, said data, and said first domain (Fig.8)
26. As to claim 23, Philyaw teaches the invention as claimed, further comprising the steps of; appending a second domain to said data, and attempting to access a web site having a

URL comprising said prepended character sequence, said data, and said second domain (Fig.8 show prefix and domain).

27. As to claim 24, Philyaw teaches the invention as claimed, wherein said first character sequence and said first domain are automatically selected from among a plurality of character sequences and domains held in computer memory (Fig.17, memory 1702).

28. As to claim 25, Philyaw teaches the invention as claimed, including a method for processing a query, comprising the steps of; receiving a query, parsing a manufacturer's code from said query (Fig. 18 shows parsing of data) looking up a manufacturer's URL associated with said manufacturer's code in a database of URLs, and redirecting said query to said manufacturer's URL (Fig.19, redirecting query data URL).

29. As to claim 26, Philyaw teaches the invention as claimed, including a device for accessing product information, comprising: a portable data carrier reader carrier (Fig.16, Pen 1600 reading data from barcode 1606); a microprocessor electrically connected to said portable data carrier reader data carrier a memory electrically connected to said microprocessor (Fig.16 Pc 302 connected to portable 1600); and an interface electrically connected to said microprocessor; wherein said memory contains a plurality of computer readable character sequences for prepending, and computer readable instructions for sequentially prepending said plurality of character sequences to data received through said portable data carrier reader and attempting to connect to URLs corresponding to said character sequences through said interface (Fig.16, memory, URL, and interface electrically).

30. As to claim 27, Philyaw teaches the invention as claimed, wherein said portable data carrier reader comprises a bar code reader (Fig.16 bar code reader 1600).

31. As to claim 28, Philyaw teaches the invention as claimed, including a business method, comprising the step of; registering a URL comprising a UPC company prefix and a domain (Fig.8, UPC code, Prefix).

32. As to claim 29, Philyaw teaches the invention as claimed, wherein said URL further comprises a UPC product identifier (Fig.8 show UPC product identifier).

33. As to claim 30, Philyaw teaches the invention as claimed, further comprising putting up a web site corresponding to said URL, and receiving product information inquiries from devices equipped to read the UPC symbols containing said company prefix (Fig.8, col.4, lines 25-28).

Claim Rejections - 35 USC § 103

34. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

35. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Philyaw et al., (hereinafter Philyaw) U.S. Patent No. 6,745,234 in view of Buckley et al., (hereinafter Buckley) U.S. Patent No. 6,445,871.

36.

37. As to claim 10, Philyaw does not teach the portable data carrier comprises an RF tag. However, Buckley teaches the portable data carrier comprises an RF tag (col.5, lines 50-54). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Philway and Buckley to have an RF tag included in a portable data carrier because it would be useful to have radio-frequency that makes it possible to identify a wireless by its unique radio transmission characteristics.

Conclusion

38. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(703) 305-7982**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:30 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Bill Cuchlinski, may be reached at **(703) 308-3873**.

TTN
June 23, 2004

MARC D. THOMPSON
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